

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA
ex rel. DOE,

Plaintiff,

- against -

GENOMIC HEALTH, INC. et al.,

Defendants.

- - - - - X

STIPULATION OF DISMISSAL

Civil Action No.
17-CV-4460

(DeArcy Hall, J)
(Levy, M.J.)

STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), and subject to the terms and conditions of the September 2023 Settlement Agreement (“Settlement Agreement”) between the United States, Relator Doe, and Defendant Genomic Health Inc. (“GHI”): (1) The United States hereby dismisses with prejudice all monetary claims on behalf of the United States against GHI for the Covered Conduct as defined in Recitals Paragraph D of the Settlement Agreement and dismisses without prejudice all other claims in the above referenced action; (2) Relator Doe hereby (a) dismisses with prejudice to Relator Doe all claims in the above referenced action against GHI; (b) dismisses without prejudice to Relator Doe all other claims asserted by Relator Doe in the above-referenced action set forth in Relator Doe’s First Amended Complaint; and (3) reserves all

claims on behalf of Relator Doe against GHI under 31 U.S.C. § 3730(d) for attorney's fees, costs and expenses.

Dated: Brooklyn, New York
September 12, 2023

BREON PEACE
UNITED STATES ATTORNEY
Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201

By: /s/ Anjna Kapoor
Anjna Kapoor
Assistant U.S. Attorney
(718) 254-6190

Dated: Washington, D.C.
September 12, 2023

Phillips & Cohen LLP
Counsel for Relator Doe
2000 Massachusetts Ave NW
Washington, D.C. 20036

By: /s/ Erika A. Kelton
Erika A. Kelton
Peter P. Budetti
John W. Tremblay
(202) 833-4567

SO ORDERED:
Brooklyn, New York
October 2, 2023

s/ LDH
HONORABLE LASHANN DEARCY HALL
United States District Judge, E.D.N.Y.